



PRESS RELEASE

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For Information Contact Public Affairs

Sandy Raynor

Telephone: (602) 514-7625

Pager: (602) 525-2681

CALIFORNIA MAN CONVICTED OF DRUG RELATED CHARGES IN TUCSON

TUCSON, Ariz. –The U.S. Attorney for the District of Arizona, announced that on August 3, 2004, Luis Gordiano Vergara, DOB 11/20/71, of Bellflower, Calif., was convicted by a federal jury in U.S. District Court in Tucson, Ariz. with the Honorable John M. Roll presiding. The defendant was convicted of Conspiracy to Possess with the Intent to Distribute Marijuana, Possession with the Intent to Distribute Marijuana, and the Employment or Use of Person Under 18 Years of Age in Drug Operations in violation of Title 21, U.S. Code 846, 841 and 861 respectively. The federal jury also found as specific offense characteristics that the defendant managed three persons in connection with narcotics trafficking and that he committed obstruction of justice.

On September 30, 2003, Vergara recruited three other persons, including one juvenile, in Nogales, Mexico, to assist him in transporting 607 pounds of marijuana from Nogales, Ariz. to Tucson, Ariz. That same day, U.S. Immigration and Customs Enforcement agents had received

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information from a confidential source that marijuana would be smuggled in a drainage tunnel from Nogales, Mexico into Nogales, Ariz. The agents set up surveillance at the exit from the

tunnel and followed two vehicles loaded with marijuana from the tunnel terminus to a shopping center in Nogales, Ariz. From there two of the people the defendant had recruited to assist him began driving the two marijuana laden vehicles northbound on Interstate 19 toward Tucson, Ariz. The defendant and his other recruit were in a third vehicle preceding and guiding the two drivers. All three vehicles were pulled over by ICE agents who arrested the four individuals near Rio Rico, Ariz. The three persons recruited by the defendant cooperated and testified at the defendant's trial.

A conviction for these offenses carries a minimum mandatory penalty of five years in prison, a \$250,000 fine or both.

The investigation in this case was conducted by U.S. Immigration and Customs Enforcement. The prosecution was handled by David Paul Flannigan, Assistant U.S. Attorney, District of Arizona, Tucson, Ariz.

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